

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:14-cv-280**

**THOSE CERTAIN UNDERWRITERS)
AT LLOYD’S, LONDON SUBSCRIBING)
TO POLICY CERTIFICATE NUMBER)
466338,)**

Plaintiffs,

vs.

**JEANNINE DINER, STEPHANIE A.)
MOODY, d/b/a ROCK DOCS, RACHEL)
LAINE WHEELER, TRANSFORMUS,)
LLC, AND DEERFIELDS, LTD.,)**

Defendants.

ORDER

THIS MATTER is before the Court *sua sponte* to ascertain subject matter jurisdiction. In their Complaint, the Plaintiffs allege that Transformus, LLC and Deerfields, LTD are corporations organized under the laws of the State of North Carolina.

Courts have an affirmative duty to question subject matter jurisdiction even when the parties have not done so. Interstate Petroleum Corp. v. Morgan, 249 F.3d 215 (4th Cir. 2001); Plyer v. Moore, 129 F.3d 728, 732 n.6 (4th Cir. 1997), *certiorari denied* 524 U.S. 945, 118 S.Ct. 2359, 141 L.Ed.2d 727 (1998); 28

U.S.C. §1447(c)(“If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.”). A limited liability company is a citizen of all states in which its constituent members are citizens. Carden v. Arkoma Associates, 494 U.S. 185, 110 S.Ct. 1015, 108 L.Ed.2d 157 (1990). It has not been disclosed to the Court whether or not the Defendants have constituent members or partners and the citizenships of those constituent members or partners, and therefore will be required to do so.

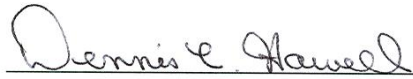
The Court further notes that in the Complaint filed by the Plaintiff, the Plaintiff does not specifically allege how this Court has subject matter jurisdiction over the dispute described in the Plaintiff’s Complaint and as a result, the Plaintiff will be required to disclose its contentions about how subject matter jurisdiction arises in this Court.

ORDER

IT IS, THEREFORE, ORDERED that on or before **July 2, 2015**, the Defendant Transformus, LLC and Deerfields, LTD shall file a response disclosing the names and citizenships, if any, of all the constituent members or partners of the above referenced LLC or LTD, and for any such constituent members or partners that are limited liability companies or partnerships, to identify the citizenships of the respective constituent members or partners until all such constituents are fully identified.

IT IS, FURTHER ORDERED that the Plaintiff shall, on or before **July 2, 2015**, file a response setting forth the legal basis for the Plaintiff's contention that this Court has subject matter jurisdiction of the dispute described in the Plaintiff's Complaint.

Signed: June 18, 2015

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Dennis L. Howell
United States Magistrate Judge

